

Message Text

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ACTION L-03

INFO OCT-01 NEA-10 ISO-00 ABF-01 JUSE-00 TRSE-00 SCS-03
SCA-01 AGRE-00 USIE-00 FBO-02 FS-01 A-01 EB-08
CIAE-00 INR-07 NSAE-00 /038 W
-----051216 041894 /11/67

R 011555Z MAR 77
FM AMEMBASSY CAIRO
TO SECSTATE WASHDC 2278

C O N F I D E N T I A L CAIRO 3647

C O R R E C T E D C O P Y FOR GARBLED IN TEXT

E.O. 11652: GDS
TAGS: EFIN PFOR EG US
SUBJECT: USG OFFICIAL CLAIMS AGAINST EGYPT

REF: (A) STATE 41695 (B) 74 CAIRO 7485 (C) 76 CAIRO 5512
(D) 76 STATE 223633 (E) 74 STATE 139921 (F) CAIRO 399
(G) 76 CAIRO 10298

1. MOST RECENT DEPT CABLE ON OFFICIAL CLAIMS (REF A) INDICATES THAT MISUNDERSTANDING MAY HAVE DEVELOPED BETWEEN DEPT AND EMBASSY OVER OFFICIAL CLAIMS AGAINST EGYPT. WE BELIEVE, THEREFORE, IT MIGHT BE USEFUL TO REVIEW THE RECORD. IT HAS BEEN EMBASSY'S CONSISTENT RECOMMENDATION SINCE 1974 THAT WE SHOULD PRESS FORWARD WITH OFFICIAL CLAIMS. WE REPEATEDLY URGED SINCE 1974 THAT DEPARTMENT PROVIDE LIST OF OFFICIAL CLAIMS SO THAT WE COULD OPEN NEGOTIATIONS (REF B). AMBASSADOR RECOMMENDED SUCH A COURSE OF ACTION VIRTUALLY EVERY TIME HE CONSULTED WITH L/C DURING PAST THREE YEARS. FINALLY, EMBASSY POINTED OUT IN EARLY 1976 THAT GOE HAD APPOINTED MINISTER OF STATE RIAD AS ITS NEGOTIATOR FOR OFFICIAL CLAIMS (REF C). IT WAS ON DEPARTMENT'S INSTRUCTIONS THAT PRESENTATION OF OFFICIAL CLAIMS WAS DEFERRED UNTIL PRIVATE CLAIMS AGREEMENT
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WENT INTO FORCE (REF D).

2. WITH REGARD TO WHETHER EMBASSY OR DEPARTMENT WOULD BE RESPONSIBLE FOR PREPARING DOSSIERS AND NEGOTIATING OFFICIAL CLAIMS, EMBASSY HAS NEVER CONTEMPLATED THAT IT WOULD PLAY PRIMARY ROLE. AS EARLY AS JUNE 1974 DEPARTMENT INFORMED EMBASSY IT WOULD PREPARE DOCUMENTATION (REF E). IN ANY CASE,

EMBASSY HAS NEITHER THE TIME NOR LEGAL EXPERTISE TO PREPARE THE CLAIMS. REFERENCE IN OUR MOST RECENT CABLE (REF F) TO "DOCUMENTATION AVAILABLE FOR PRESENTATION" REFERRED, AS DEPARTMENT SURELY AWARE, TO DOCUMENTATION PREVIOUSLY PREPARED IN WASHINGTON BY DEPT. OR OTHER AGENCIES AND TRANSMITTED TO EMBASSY. EMBASSY DOES, HOWEVER, FULLY EXPECT TO PLAY SUPPORTIVE ROLE IN NEGOTIATIONS, AS WE DID IN NEGOTIATIONS OF PRIVATE CLAIMS AGREEMENT, BUT WE BELIEVE L/C REPRESENTATIVE SHOULD MAKE BASIC PRESENTATIONS.

3. WITH REGARD TO TIMING OF PRESENTATION, LANGUAGE OF PARA 13 OF CAIRO 399 ("THE SOONER WE GET STARTED THE BETTER") MADE CLEAR THAT WE ARE STILL AS ANXIOUS TO BEGIN NEGOTIATION OF OFFICIAL CLAIMS AS WE WERE IN 1974.

4. IN VIEW OF ABOVE, WE ARE DISTRESSED TO LEARN THAT "DEPARTMENT HAS NOT REVIEWED AND EXAMINED OFFICIAL CLAIMS IT POSSESSES" (PARA 1 REF A), AND BY SUGGESTION IN SAME CABLE THAT IT HAD NOT DONE SO BECAUSE OF "ABSENCE OF EMBASSY RESPONSE TO PARA 5" OF REF D. FULL EMBASSY RESPONSE WAS CONTAINED IN CAIRO 399 AS WELL AS IN CONSISTENT EMBASSY POSITION DATING BACK TO 1974 AND CONVEYED TO L/C BY AMBASSADOR ON NUMEROUS OCCASIONS (REF G).

5. DOCUMENTATION ON CLAIMS REQUESTED BY DEPARTMENT IN STATE 41695 IS BEING COPIED AND WILL BE AIR POUCHED TO L/C ASAP.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CLAIMS, LITIGATION, COMPENSATION
Control Number: n/a
Copy: SINGLE
Sent Date: 01-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977CAIRO03647
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770121-1067, D770070-1252
Format: TEL
From: CAIRO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t197703107/aaaadqba.tel
Line Count: 88
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 590d28ad-c288-dd11-92da-001cc4696bcc
Office: ACTION L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 STATE 41695, 74 CAIRO 7485, 76 CAIRO 5512, 76 STATE 223633, 74 STATE 139921, 77 CAIRO 399
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 21-Jan-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2954577
Secure: OPEN
Status: NATIVE
Subject: USG OFFICIAL CLAIMS AGAINST EGYPT
TAGS: EFIN, PFOR, CPRS, EG, US
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/590d28ad-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009